

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

PATRICK BRUCE GORDON,

Petitioner,

CIV. S-91-0882-LKK PAN

v.

DEATH PENALTY CASE

JILL L. BROWN, Acting Warden  
at San Quentin State Prison,

ORDER

Respondent.

—oOo—

This case came before me April 20, 2005, for hearing on petitioner's March 25, 2005, motion to compel. Good cause appearing and for reasons stated on the record, I hereby order that:

1. Petitioner's March 25, 2005, motion to compel is granted.

2. Respondent shall produce to petitioner, within 20 days, all documents in any way related to claims set forth in petitioner's memorandum of points and authorities in support of

1 his motion to compel at 8:21 through 10:12. If respondent  
2 contends any such documents are entitled to protection she shall  
3 submit them to the court, within 20 days, for in camera review so  
4 the court may assess the applicability of asserted privileges  
5 and, as for non-privileged documents, weigh the benefits of  
6 disclosure against grounds for protecting the documents.

7 3. Petitioner is granted leave to examine Van Oss, Wingo  
8 and Colbert at deposition. The depositions shall be convened in  
9 my courtroom.

10 4. The record shall be completed, including document  
11 exchange and depositions, within 90 days.

12 So ordered.

13 Dated: April 26, 2005.

14 /s/ Peter A. Nowinski  
15 PETER A. NOWINSKI  
16 Magistrate Judge  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26